

House File 348

H-1066

1 Amend House File 348 as follows:

2 1. Page 1, line 32, by striking <paragraph> and inserting  
3 <paragraphs>

4 2. Page 2, after line 1 by inserting:

5 <NEW PARAGRAPH. 00j. Be subject to and comply with the  
6 requirements of section 279.78 relating to actions associated  
7 with the gender identity of students in the same manner as a  
8 school district.>

9 3. Page 3, by striking lines 2 and 3 and inserting  
10 <curriculum, test, survey, questionnaire, promotion, or  
11 instruction relating>

12 4. Page 3, after line 5 by inserting:

13 <3. a. If, as a result of complying with the requirements  
14 of this section, a civil action is instituted against a member  
15 of the board of directors of a school district, a school  
16 district, or an employee of a school district, the attorney  
17 general shall provide legal representation at no cost to the  
18 member of the board of directors of the school district, the  
19 school district, or the employee of a school district in the  
20 civil action.

21 b. In addition to the expenses of legal representation,  
22 the state shall assume financial responsibility for any other  
23 expenses related to the civil action described in paragraph "a"  
24 incurred by the member of the board of directors of a school  
25 district, the school district, or the employee of the school  
26 district, including any award for attorney fees or court costs  
27 and the loss of any federal funds as a result of the civil  
28 action.>

29 5. Page 3, before line 6 by inserting:

30 <Sec. \_\_\_\_ NEW SECTION. 279.78 Gender identity — parental  
31 or guardian consent — prohibitions.

32 1. A school district shall not do any of the following:

33 a. Coerce any student to withhold information from the  
34 student's parent or guardian related to the student's gender  
35 identity.

1     *b.* Knowingly give false or misleading information to,  
2 the parent or guardian of a student regarding the student's  
3 gender identity or intention to transition to a gender that  
4 is different than the sex listed on a student's official  
5 birth certificate or certificate issued upon adoption if the  
6 certificate was issued at or near the time of the student's  
7 birth.

8     *c.* Encourage, pressure, or coerce a student to undergo any  
9 medical procedure, treatment, or intervention that is designed  
10 to affirm the student's gender identity if that gender identity  
11 is different than the sex listed on a student's official  
12 birth certificate or certificate issued upon adoption if the  
13 certificate was issued at or near the time of the student's  
14 birth.

15     *d.* Encourage, pressure, or coerce a student's parent or  
16 guardian to allow the student to undergo any medical procedure,  
17 treatment, or intervention that is designed to affirm the  
18 student's gender identity if that gender identity is different  
19 than the sex listed on the student's official birth certificate  
20 or certificate issued upon adoption if the certificate was  
21 issued at or near the time of the student's birth.

22     2. *a.* If a student enrolled in a school district requests  
23 an accommodation that is intended to affirm the student's  
24 gender identity from a licensed practitioner employed by the  
25 school district, the licensed practitioner shall report the  
26 student's request to an administrator employed by the school  
27 district.

28     *b.* A school district shall not facilitate an accommodation  
29 described in paragraph "a" unless an administrator notifies  
30 the student's parent or guardian of the request for an  
31 accommodation and the parent or guardian provides written  
32 consent to the accommodation.

33     3. A school district shall not do any of the following  
34 unless the parent or guardian of an unemancipated minor who is  
35 enrolled in the school district provides written consent:

1     a. Change the name or pronoun of the unemancipated minor on  
2 the school district's registration forms or records.  
3     b. Facilitate any accommodation that is intended to affirm  
4 the unemancipated minor's gender identity, if that gender  
5 identity is different than the sex listed on the unemancipated  
6 minor's official birth certificate or certificate issued upon  
7 adoption if the certificate was issued at or near the time of  
8 the unemancipated minor's birth.  
9     4. For purposes of this section, "*gender identity*" means the  
10 same as defined in section 216.2.>  
11     6. Title page, by striking lines 1 through 3 and inserting  
12 <An Act relating to education by prohibiting instruction  
13 related to gender identity and sexual orientation in school  
14 districts and charter schools in kindergarten through grade  
15 six and modifying the responsibilities of school districts and  
16 charter schools with respect to the gender identity of students  
17 enrolled in the school district or charter school.>  
18     7. By renumbering as necessary.

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WHEELER of Sioux